

OFFICE OF THE MONITOR

NUNEZ, ET AL. V. CITY OF NEW YORK, ET AL.

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Via ECF

The Honorable Laura T. Swain
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10006

Re: Nunez, et al. v. City of New York, et al., 11-cv-5845 (LTS) (JCF)

Dear Judge Swain:

We write to respectfully recommend extensions to four of the deadlines in the *Nunez* Consent Judgment, as set forth in the chart below and described in more detail in the Third Monitor's Report. This is the fourth request to modify certain provisions of the Consent Judgment.¹ We have discussed the proposed extensions with the Parties and they do not object to the Monitor's recommendations.²

The chart below identifies the targeted provisions that we recommend warrant additional time. The last column in the chart identifies the proposed extension of time for each provision that we respectfully request your Honor approve and order.

¹ See Appendix A.

² The Nunez Plaintiff class will write separately to the Court regarding these extensions.

Consent Judgment Provision	Description of Provision	Current Deadline ³	Recommended Extension of Time
Section XIII (Training), ¶ 1(c)	Probe Team Training – Deployment of Probe Team Training to all Staff Members assigned to work regularly at any Intake Post.	Within 12 months of the Effective Date	December 31, 2017
Section XIII (Training), ¶ 2(b)	Cell Extraction Team Training – Deployment of the Cell Extraction Team Training to all Staff Members regularly assigned to Special Units with cell housing.	Within 12 months of the Effective Date	December 31, 2017
Section XIII (Training), ¶ 4(b)	Direct Supervision Training – Deployment of the Direct Supervision Training to all Staff Members assigned to work regularly in Young Inmate Housing Areas.	Within 9 months of the Effective Date	April 30, 2018
Section V (Use of Force Reporting & Tracking), ¶ 18 Section X (Risk Management), ¶ 16	Case Management System – to be developed and implemented.	December 1, 2016	<i>Develop:</i> August 31, 2017 <i>Implement:</i> December 31, 2017

Please do not hesitate to contact us if you have any questions or require further information on the proposed extensions.

Sincerely,

s/ Steve J. Martin

Steve J. Martin, Monitor

Anna E. Friedberg, Deputy Monitor

³ The Effective Date of the Consent Judgment is November 1, 2015. (Docket Entry 260)

Appendix A**Chart of Orders Related to Consent Judgment**

Docket Entry	Date	Description of Order			
261	11/23/15	Effective Date set as November 1, 2015.			
266	01/05/16	Modification of certain deadlines.			
		Section V ¶ 21	Use of Force Reporting and Tracking -- Department to develop definitions for categories of institutional violence data	60 Days from Effective Date	Additional 30 Days
		Section XIII ¶ 1	Training --Department to develop new staff training programs (Use of Force policy, Crisis Intervention, Probe Team)	60 Days from Effective Date	Additional 60 days
		Section XIII ¶ 2	Training --Department to improve staff training (Defensive Tactics, Cell Extraction Team, and Investigator)	60 Days from Effective Date	Additional 60 days
		Section XIII ¶ 4	Training --Department to develop new Direct Supervision staff training	60 Days from Effective Date	Additional 60 days
		Section XVI ¶ 3	Inmate Discipline --Department to develop and implement an incentive system for inmates under 18	60 Days from Effective Date	Additional 30 Days
		Section XVI ¶ 4	Inmate Discipline --Department to develop and implement a disciplinary system for inmates under 18	60 Days from Effective Date	Additional 30 Days
268	03/04/16	Additional month for the Second and Third Monitoring Period.			